

FILED

MAR - 8 2013

UNITED STATES DISTRICT COURT
for the

Northern District of California

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

United States of America)
v.)
GARY FITE AND REGINA DEAN)
)
)
)
)
)

Case No.
4-13-70272 MAG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 1, 2013 in the county of Contra Costa in the
Northern District of California, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. §§ 2113(a) and (d)

The defendants did, by force and violence and by intimidation, take from the person and presence of another and obtain by extortion money belonging to, and in the care, custody, control, management, and possession of, a bank, and in committing such offense did assault and put in jeopardy the life of another person by the use of a dangerous weapon.

The maximum penalties for this offense are: 25 years in prison, \$250,000 fine, 5 years of supervised release, and a \$100 special assessment.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT IN SUPPORT OF THIS COMPLAINT

Continued on the attached sheet.

Approved as to form:

Brian Lewis, AUSA

Complainant's signature

Todd Dorman, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/8/13

Judge's signature

Kandis A. Westmore, U.S. Magistrate Judge

Printed name and title

City and state: _____

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

1. I, Todd A. Dorman, Special Agent, Federal Bureau of Investigation (FBI), Concord, California, being duly sworn state:

2. I am a Special Agent (SA) of the FBI and have been so employed since August of 1989. Currently, I am assigned to the Violent Crimes and Major Offender Squad at the Concord Resident Agency, San Francisco Field Office, where my responsibilities include the investigation of bank robberies. In connection with my official duties, I have participated in the investigation of GARY CASDELL FITE, JR. (FITE) and REGINA LYNN DEAN (DEAN) for the armed robbery of The Mechanics Bank, 2690 Pinole Valley Road, Pinole, California, which occurred on March 1, 2013. In connection with my official duties, I have obtained the following information from officers and detectives from the Pinole Police Department and from my own investigation. Due to my personal participation in this investigation, I am familiar with the facts and circumstances of this case. My 23 years of experience as an FBI Special Agent, during which I have received training in the investigation of bank robberies and other criminal investigations, and my participation in this investigation as described above, form the basis of the opinions and conclusions set forth below.

3. I make this affidavit in support of a Criminal Complaint and Arrest Warrants charging GARY CASDELL FITE, JR. and REGINA LYNN DEAN with armed bank robbery in violation of Title 18 United States Code §§ 2113(a) and (d). Because this affidavit is submitted for the limited purpose of this criminal complaint, I have not included each and every fact known to me about this investigation. Rather, I have set forth those facts that I believe are sufficient to establish probable cause that FITE and DEAN committed the aforementioned offense.

4. According to investigative reports, on March 1, 2013, at approximately 4:30 p.m., The Mechanics Bank, 2690 Pinole Valley Boulevard, Pinole, California (the bank), a financial institution with deposits insured by the Federal Deposit Insurance Corporation (FDIC) was robbed by a black male (the Robber). The Robber, who was wearing a tan baseball cap, blue jeans jacket over a gray hooded sweatshirt, carrying a black bag over his shoulder and brandishing a black semi-automatic handgun, entered the bank and jumped over the bank teller counter. The Robber moved behind the teller counter to the teller station of the victim teller, JP. While pointing the firearm at JP's head the Robber demanded in a loud voice "Where's the money?" JP pointed at the cash drawers in her teller station. The Robber then demanded "Give me your money!"

5. JP, fearing for her personal safety, complied with the Robber's demand and opened her lower teller drawer. The Robber reached into the open cash drawer and removed money, placing the cash into the black shoulder bag. When the Robber had finished with the lower drawer, he demanded "Where's the rest of the money?" JP pointed to her upper teller drawer and the Robber said "Give me the money." JP opened the upper cash drawer and the Robber proceeded to grab cash and place it into the black shoulder bag. As this was taking place, JP believed the Robber was speaking to an unknown male over a radio or telephone. JP heard the Robber say "How is it looking?" and heard an unknown male voice reply "Someone is near the ATM." Several seconds later JP heard the unknown male voice say "He is near the door." When the Robber was done taking cash from the upper teller drawer he ran from JP's teller station to the area of teller station number one and jumped over the teller counter into the customer area of the bank and ran out the front door of the bank in an unknown direction.

5. An audit conducted following the robbery determined the amount taken by the

Robber to be \$3,292 in currency, including six "bait bills" with pre-recorded serial numbers.

Along with the currency, the Robber also took a bank security device designed to assist responding law enforcement in locating the stolen money. The electronic security device sends a notification to law enforcement the instant it is removed from the bank teller's drawer, and then provides a real-time location of the device to police dispatch personnel. The "bait bills" were comprised of three \$20 bills and three \$10 bills. Good quality photographs of the Robber were obtained from the bank's digital surveillance cameras. The bank surveillance photographs depict images of the Robber which are consistent with witnesses' descriptions.

6. Pinole Police Department (PPD) officers responding to the activation of the security device arrived at the bank within minutes of the activation signal and established a perimeter. PPD radio dispatchers were monitoring the bank security device and broadcasting to PPD officers at the bank the location of the device as it moved through the bank parking lot. PPD officers stopped traffic on Pinole Valley Boulevard near the onramp to Interstate 80. At about this time they were advised by police dispatchers that the security device was moving at a speed of six miles per hour toward the roadblock. A PPD officer then noticed a silver Pontiac Grand Am approaching the roadblock. The officer moved in front of the Pontiac with his arm extended and open palm in the direction of the Pontiac and yelled "Stop!" repeatedly. The officer was unsure of the driver's sex, but believed the driver was African American and wearing sunglasses. The driver looked away from the officer and proceeded to drive over a curb and around the officer onto Interstate 80 eastbound. The California license plate visible on the rear of the Pontiac as it maneuvered around the officer, 4WEJ146, was queried through the California Department of Motor Vehicles and returned as belonging to a 2002 Pontiac Grand Am registered to DEAN. The

driver of the Pontiac was later determined to be DEAN.

7. Dispatch advised PPD officers that the security device was moving at approximately 52 miles per hour on eastbound Interstate 80. At one point the device slowed to approximately 33 miles per hour. The Pontiac was located by officers on eastbound Interstate 80 in Vallejo, California. Traffic was stopped and three officers, who were directly behind the Pontiac in three different police vehicles, activated emergency lights and sirens. As one officer exited his police vehicle and approached the Pontiac, traffic began to move and the Pontiac accelerated and abruptly changed lanes, nearly colliding with another vehicle. The Pontiac continued to move, at a speed of no more than 10 miles per hour due to heavy traffic, in an evasive manner with police continuing the lights and siren pursuit. The Pontiac attempted to exit Interstate 80 at the Interstate 780 eastbound exit but was prevented from doing so by a PPD vehicle. The Pontiac then stopped near the Interstate 780 exit.

8. DEAN, the driver of the Pontiac, followed directions from the officers, exited the car and was taken into custody. A PPD officer asked DEAN if anyone else was in the vehicle and DEAN did not respond. The officer asked again and again DEAN said nothing. The officers then yelled for anyone else in the car to exit the vehicle. At that point FITE raised up from the back seat of the Pontiac and exited the vehicle. FITE was wearing a blue denim jacket, black gloves and gray pants. FITE was taken into custody and searched incident to arrest. Inside the pocket of his denim jacket was a loaded, black Springfield 9mm semi-automatic handgun. FITE was wearing a black Nike bag around his shoulder which contained a large amount of U.S. currency. Recovered from the black Nike bag was \$3,304 in currency, including the six "bait bills" and the electronic bank security device.

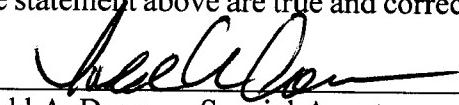
9. The victim teller, JP, was brought to the scene of the traffic stop and positively identified FITE as the Robber. I have reviewed photographs of the Robber taken by the bank's digital security cameras. I was able to observe FITE immediately after he was taken into custody at the scene of the traffic stop on Interstate 80. I believe they are the same person.

* * *

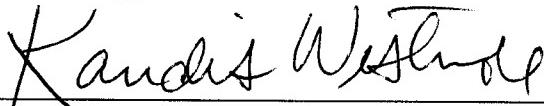
9. Based on the above information, I believe that GARY CASDELL FITE, JR. and REGINA LYNN DEAN committed the armed robbery of The Mechanics Bank, 2690 Pinole Valley Road, Pinole, California, which occurred on March 1, 2013 in violation of Title 18 United States Code §§ 2113(a) and (d).

WHEREFORE, I request that no bail arrest warrants be issued for GARY CASDELL FITE, JR. and REGINA LYNN DEAN.

I declare under penalty of perjury that the statement above are true and correct to the best of my knowledge and belief.


Todd A. Dorman, Special Agent
Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME
THIS 8th DAY OF MARCH, 2013.


KANDIS A. WESTMORE
United States Magistrate Judge